

07.10.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 3490 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **202** of **2021** dated **13.03.2021** under Sections 341/324/323/354/308/379/506/34 of the Indian Penal Code, 1860.

And

In Re : Rofikul Haque @ Rafikul & Ors.

..... petitioners

Mr. Soupal Chatterjee

.....for the petitioners

Ms. Sukanya Bhattacharya

Md. Kutub Uddin

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, since the petitioner was arrested, the application be treated as not pressed on behalf of the petitioner no. 2 (Fatima Khatun).

Learned advocate appearing for the State draws the attention of the Court to the injury report.

Considering the fact that one co-accused was granted anticipatory bail by the Jurisdictional Court and considering the fact that the police submitted charge-sheet and considering the nature of injury, we grant anticipatory bail to the petitioner

No. 1 (Rofikul Haque @ Rafikul) and petitioner no. 3 (Kulsum Khatun @ Sultana Khatun).

The petition is dismissed as not pressed in respect of petitioner no. 2 (Fatima Khatun).

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)